

# EXHIBIT 5

**CAUSE NO. 10301**

<b>TOTH ENTERPRISES II, P.A.,</b>	§	<b>IN THE DISTRICT COURT</b>
<b>WILLIAM FRANKLIN, M.D., ALLIED</b>	§	
<b>LAB SOLUTIONS, LLC, ALLIED LAB</b>	§	
<b>SOLUTIONS MANAGEMENT, LLC,</b>	§	
<i>Plaintiffs/Cross-Claimants</i>	§	
	§	
<b>v.</b>	§	<b>50th JUDICIAL DISTRICT</b>
	§	
<b>CLAY ELLIS, LEWIS NICHOLS, AND</b>	§	
<b>LN PROFESSIONAL MANAGEMENT,</b>	§	
<b>LLC D/B/A MEDICAL MANAGEMENT</b>	§	
<b>PROFESSIONALS</b>	§	
<i>Defendants/Cross Defendants.</i>	§	<b>KNOX COUNTY, TEXAS</b>

**ORDER SUSTAINING MOTION TO TRANSFER VENUE**

On the 7th day of February, came on to be heard the LN Defendants' Motion To Transfer Venue. All parties appeared via Zoom by and through their attorneys of record. After reviewing the moving papers, the response and reply, considering the evidence, and hearing the arguments of counsel, the Court is of the opinion the motion has merit and should be GRANTED. It is, therefore,

ORDERED that the motion to transfer venue is granted and this case is transferred to a District Court in Travis County, Texas.

IT IS FURTHER ORDERED that the clerk of this Court shall prepare a transcript of all the pleadings in this case, certifying the transcript under the seal of this Court, and send it with the original papers to the district clerk of Travis County, Texas. All costs in this case are taxed against Toth Enterprises II, P.A. and William Franklin, M.D.

Signed this <sup>22nd</sup> day of February 2023.

  
HONORABLE JENNIFER HABERT

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Kim McBride on behalf of Ray Chester  
 Bar No. 04189065  
 kmcbride@mcginnislaw.com  
 Envelope ID: 72487445  
 Status as of 2/22/2023 4:55 PM CST

**Case Contacts**

<b>Name</b>	<b>BarNumber</b>	<b>Email</b>	<b>TimestampSubmitted</b>	<b>Status</b>
Mark W.Collmer		mark@collmerlaw.com	2/6/2023 4:20:31 PM	SENT
Conrad Guthrie		conrad@collmerlaw.com	2/6/2023 4:20:31 PM	SENT
John Bradford Thompson		BThompson@duanemorris.com	2/6/2023 4:20:31 PM	SENT
Katherine AFillmore		KAFillmore@duanemorris.com	2/6/2023 4:20:31 PM	SENT
Kelly C.Dawson		kcmd777@gmail.com	2/6/2023 4:20:31 PM	SENT
Jeff Hobbs		jhobbs@abaustin.com	2/6/2023 4:20:31 PM	SENT
Jim Clements		jim@clementsfirm.com	2/6/2023 4:20:31 PM	SENT
Ray Chester		rchester@mcginnislaw.com	2/6/2023 4:20:31 PM	SENT
Kim McBride		kmcbride@mcginnislaw.com	2/6/2023 4:20:31 PM	SENT
Ian Davis		idavis@mcginnislaw.com	2/6/2023 4:20:31 PM	SENT